**FARAD CONTINUATION SHEET NO.**
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE**
**NAGPUR BENCH, NAGPUR**

Civil Application No. 5261/2006
in
Writ Petition No. 670/2003(Decided)

| | |
|---|---|
| Appeal<br>Application No.<br>Writ petition | District :<br>of 200 |

| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
|---|---|

Shri. N.S. Adbe, Adv. for petitioner.
Shri. S.P. Bhandarkar, Adv. for R- 2, 3 & 4.
Shri. T.R. Kankale, A.G.P. for R-6.

**CORAM : B.R. Gavai, J.**
**DATED : October 18, 2006.**

By way of present civil application, the petitioner seeks directions to the Administrator to hand over the charge to the Executive Committee which has been recognized as per the Change Report filed by the present petitioner.

However, it is not in dispute that against the said Change Report, an appeal has been filed by the respondent no.2. Along with the said appeal, an application for stay to the order passed by the Assistant Charity Commissioner, is also filed.

Since the matter is subjudiced before the appellate authority, I am of the view that it would not be appropriate for this Court to

grant the relief as prayed for. Hence the civil application is rejected.

However, it is directed that the Administrator who has taken over the charge, shall maintain status quo with regard to the properties owned by the Trust and shall not create any third party interest in any of the properties owned by the Trust.

**JUDGE**

RMP